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1635

PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/691,343	
	<b>Filing Date</b>	October 18, 2000 <b>RECEIVED</b>	
	<b>First Named Inventor</b>	Turner <b>MAR 06 2002</b>	
	<b>Group Art Unit</b>	1635	
	<b>Examiner Name</b>	M. Schmidt <b>TECH CENTER 1600/2900</b>	
<b>Total Number of Pages in This Submission</b>	5	<b>Attorney Docket Number</b>	LEX-0070-USA


**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return postcard;
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Response to Notice to Comply;
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Return copy of Notice to Comply;
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b>	Verified Statement;
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Sequence Listing on diskette

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual name</b>	Lance K. Ishimoto Reg. No. 41,866 Lexicon Genetics Incorporated	
<b>Signature</b>	Lance K. Ishimoto by David W. Habley DAVID W. HABLEY REG. NO. 41,071	<b>24231</b> PATENT TRADEMARK OFFICE
<b>Date</b>	February 7, 2002	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: <b>February 7, 2002</b>			
<b>Typed or printed name</b>	Michelle Klein		
<b>Signature</b>		<b>Date</b>	February 7, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

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**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

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For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Turner *et al.*

Application No.: 09/691,343

Group Art Unit: 1635

Filed: October 18, 2000

Examiner: M. Schmidt

Title: Novel Human Proteins and  
Polynucleotides Encoding the Same

Attorney Docket No.: LEX-0070-USA

**VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Drenda D. Thomas, do declare and state as follows:

1. I prepared a Sequence Listing in paper and computer readable form under 37 C.F.R. § 1.821 - 1.825 in connection with the above-captioned patent application.

2. I hereby state that the contents of the paper and computer readable copies of the Sequence Listing are the same and that the computer readable form being submitted herewith does not include new matter.

February 7, 2002  
Date

Drenda Thomas  
Drenda D. Thomas



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

Applicant(s): Turner *et al.*

Application No.: 09/691,343

Group Art Unit: 1635

Filed: October 18, 2000

Examiner: M. Schmidt

Title: Novel Human Proteins and Polynucleotides  
Encoding the Same

Attorney Docket No.: LEX-0070-USA

# 7 / K.T.  
3/11  
RESPONSE

**RESPONSE TO NOTICE TO COMPLY WITH  
REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR  
AMINO ACID SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures ("the Notice") mailed January 15, 2002, in connection with the above-identified application, Applicants submit herewith: (i) a Sequence Listing in computer readable form pursuant to 37 C.F.R. §1.821(e); and (ii) a Verified Statement Concerning Sequence Listing Under 37 C.F.R. § 1.821(f). Applicants respectfully request the entry of the computer readable form of the Sequence Listing into the file.

In the Notice, Applicants were additionally required to provide a substitute paper copy of the Sequence Listing. However, the Notice did not indicate that the paper copy of the Sequence Listing as originally filed was missing, and this was confirmed during a telephone conference between Applicants' representative Mr. David Hibler and Examiner Schmidt on January 23, 2002. During the telephone conference, Examiner Schmidt indicated that a substitute paper copy of the Sequence Listing did not need to be filed in the present case. Therefore, Applicants are providing herewith a CRF copy of the Sequence Listing, and a statement that the content of the original paper and computer readable copies of the Sequence Listing are the same.

Applicants believe that no fee is due in connection with this response.  
However, the Commissioner is authorized to charge any required fee to Deposit  
Account No. 50-0892.

Respectfully submitted,

February 7, 2002  
Date

*Lance K. Ishimoto by David W. Hebert* *DAVID W. HEBERT*  
Lance K. Ishimoto *Reg. No. 41,071*  
Reg. No. 41,866

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